

# UNITED STATES DISTRICT COURT

District of Delaware

PETSMART, INC., a Delaware  
Corporation, in its capacity as  
fiduciary of the PETSMART Flexible  
Benefits Plan

## SUMMONS IN A CIVIL CASE

Plaintiff,

V.

CASE NUMBER: -- 07 - 628

JANET M. DAVIDSON,  
MICHAEL D. BEDNASH, ESQUIRE and  
KIMMEL CARTER ROMAN & PELTZ,  
P.A., a Delaware Corporation,

Defendants.

TO: Kimmel Carter Roman & Peltz, P.A.  
c/o Michael D. Bednash, Esquire  
200 Biddle Ave.  
P.O. Box 1070  
Bear, DE 19701-7070

**YOU ARE HEREBY SUMMONED** and required to serve upon PLAINTIFF'S ATTORNEY (name and address)  
Timothy M. Holly, Esquire  
CONNOLLY BOVE LODGE & HUTZ LLP  
The Nemours Building  
1007 North Orange Street  
P.O. Box 2207  
Wilmington, DE 19899

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

**PETER T. DALLEO**

**OCT 15 2007**

CLERK

DATE

  
(BY) DEPUTY CLERK

RETURN OF SERVICE

Service of the Summons and Complaint was made by me<sup>(1)</sup>

DATE

10/15/07

NAME OF SERVER (PRINT)

Paul Coulby

TITLE

Process Server

Check one box below to indicate appropriate method of service



Served personally upon the defendant. Place where served: 200 BIDDLE AVE, BEAR DE ACCEPTED BY BETH LINDSEY AT 2:20PM



Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.

Name of person with whom the summons and complaint were left: \_\_\_\_\_



Returned unexecuted: \_\_\_\_\_



Other (specify): \_\_\_\_\_

STATEMENT OF SERVICE FEES

TRAVEL

SERVICES

TOTAL

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on

Date

10/15/07

Signature of Server

Paul H Coulby

Address of Server

230 N MARKET ST, WILM DE 19801

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.